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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 RICHARD TATE, as Special Administrator
for the Estate of JAMES S. TATE, JR., M.D.,

9 Plaintiff,

10 vs.

11
12 UNIVERSITY MEDICAL CENTER OF
SOUTHERN NEVADA, a county hospital
13 pursuant to NRS 450, et. seq.; et. al.

14 Defendant.
15

CASE NO. 2:09-cv-01748-JAD-NJK

MOTION FOR LEAVE TO WITHDRAW
AS COUNSEL

16
17 John P. Aldrich, Esq., and the Aldrich Law Firm, Ltd., hereby moves for leave of Court to
18 withdraw as co-counsel for Plaintiff RICHARD TATE, as Special Administrator for the Estate of
19 JAMES S. TATE, JR., M.D. This pleading is based on the accompanying Points and Authorities,
20 the Declaration, and the papers and pleadings already on file in this matter.

21 Dated this 12th day of July, 2017.

22 **ALDRICH LAW FIRM, LLP**

23 /s/ John P. Aldrich
John P. Aldrich, Esq.
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POINTS AND AUTHORITIES

Counsel moves to withdraw as co-counsel of record for Plaintiff RICHARD TATE, as Special Administrator for the Estate of JAMES S. TATE, JR., M.D. Counsel cannot withdraw without leave of court. See United States District Court, Rules of Practice, Local Rule IA 10-6(b), as amended effective May 1, 2016.

Nevada Rule of Professional Conduct 1.16(b) provides in relevant part as follows:

(b) Except as stated in subsection 3, a lawyer may withdraw from representing a client if:

(1) Withdrawal can be accomplished without material adverse effect on the interests of the client;

... or

(7) Other good cause for withdrawal exists.

As shown by the Declaration of John P. Aldrich, Esq., filed in support of this Motion to Withdraw as Attorney of Record, withdrawal is appropriate. The trial has concluded and the matter has been appealed. Mr. Aldrich is not representing Plaintiff on the appeal. There has been some subsequent motion practice related to the appeal, to which Mr. Hafter has responded.

If this motion is granted, Plaintiff will still be represented by Jacob Hafter, Esq., who is local in Nevada. Accordingly, Mr. Hafter remains the attorney of record for Plaintiff. As such, my withdrawal can be accomplished without material adverse effect on the interests of the client.

Dated this 12th day of July, 2017.

ALDRICH LAW FIRM, LLP

/s/ John P. Aldrich

John P. Aldrich, Esq.

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IT IS SO ORDERED.

Dated: July 13, 2017


United States Magistrate Judge

DECLARATION OF JOHN P. ALDRICH, ESQ.

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, John P. Aldrich, declare under penalty of perjury that:

1. I am licensed to practice law in the State of Nevada. I have served as co-counsel of record for Plaintiff RICHARD TATE, as Special Administrator for the Estate of JAMES S. TATE, JR., M.D.

2. The trial has concluded and the matter has been appealed. I am not representing Plaintiff on the appeal. There has been some subsequent motion practice related to the appeal, to which Mr. Hafter has responded.

2. Plaintiff is still represented by Jacob Hafter, Esq., who is local in Nevada. Accordingly, Mr. Hafter remains the attorney of record for Plaintiff. As such, my withdrawal can be accomplished without material adverse effect on the interests of the client.

3. The facts stated in the Motion for Leave to Withdraw as Attorney are true and accurate to the best of my knowledge.

Dated this 12th day of July, 2017.

ALDRICH LAW FIRM, LLP

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